



1FLY

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael SCHIRNER et al.

Confirmation No.: 6769

Serial No.: 10/088,866

Examiner: HUFF, Sheela Jitendra

Filed: July 2, 2002

Group Art Unit: 1642

Title: ANTIBODY-DYE CONJUGATES FOR BINDING TO TARGET
STRUCTURES OF ANGIOGENESIS IN ORDER TO INTRAOPERATIVELY
DEPICT TUMOR PERIPHERIES

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 22, 2006, please consider the remarks.

REMARKS

Claim Rejections Under 35 U.S.C. §§ 112, first paragraph

In the last reply applicants indicated that a reference showing that L19 and E1 are both known and available is attached. Due to a filing error said reference was actually not filed. Applicants apologize for this and attach said reference to this reply.

L19 and E1 can be reproduced since their sequences are known. See, for example, table 2 of *Pini et al.*, Design and Use of a Phage Display Library, *The Journal of Biological Chemistry*, Vol. 273, No. 34, Issue of August 21, 1998, pp. 21769-21776. A copy of this reference is attached.

The definition of Y was amended in the last reply such that it is $=C(CH_3)_2$. Support for this amendment can be found, for example, in the compound of example 1 of page 16 of the specification. The Office Action requests the structure of the compound of example 1. The structure follows and clearly demonstrates that Y is $=C(CH_3)_2$ in said compound.